

1 KEITH E. EGGLETON, State Bar No. 159842  
MAURA L. REES, State Bar No. 191698  
2 ANTHONY J WEIBELL, State Bar No. 238850  
WILSON SONSINI GOODRICH & ROSATI  
3 Professional Corporation  
650 Page Mill Road  
4 Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300  
5 Facsimile: (650) 565-5100  
E-mail: keggleton@wsgr.com; mrees@wsgr.com;  
6 aweibell@wsgr.com

7 Attorneys for Defendant  
NETFLIX, INC.

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9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 JOSE VARGAS JR., an individual, on his )  
own behalf and on behalf of all similarly )  
14 situated, )  
15 Plaintiff, )  
16 v. )  
17 NETFLIX, INC., a Delaware corporation, )  
18 Defendant. )

CASE NO.: C 07-03802 WHA  
**CERTIFICATE OF SERVICE**

**CERTIFICATE OF SERVICE BY FACSIMILE AND MAIL**

I, Rosemarie Dean, declare:

I am employed in Santa Clara County. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304-1050.

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of documents for facsimile transmittal and correspondence for mailing with the United States Postal Service. In the ordinary course of business, documents would be transmitted via facsimile, and correspondence would be deposited with the United States Postal Service on this date.

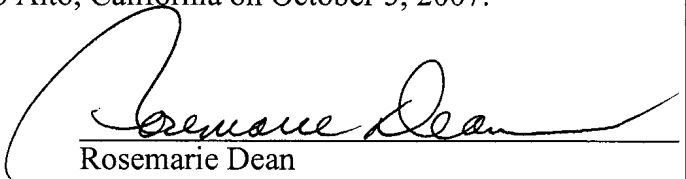
On this date, I served **NETFLIX'S RESPONSE TO SEPTEMBER 28, 2007 ORDER RE REQUEST TO DISMISS ACTION** on each person listed below, by consigning the document(s) to a facsimile operator for transmittal and by placing the document(s) described above in an envelope addressed as indicated below, which I sealed. I placed the envelope(s) for collection and mailing with the United States Postal Service on this day, following ordinary business practices at Wilson Sonsini Goodrich & Rosati.

Counsel for Plaintiff Jose Vargas, Jr.

Reginald Von Terrell  
The Terrell Law Group  
223 – 25<sup>th</sup> Street  
Richmond, CA 94804  
Fax: (510) 237-4616

C. Donald Amangbo  
Amangbo & Associates, APC  
7901 Oakport Street, Suite 4900  
Oakland, CA 94621  
Fax: (510) 615-6024

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California on October 5, 2007.

  
Rosemarie Dean